

MEMORANDUM ENDORSEMENT

Houston v. Capra.
20 CV 2135 (VB)

On January 15, 2021, the Court received the attached letter from plaintiff, proceeding pro se and in forma pauperis. (Doc. #72). Plaintiff requests leave to file an amended complaint.

A pro se litigant “should be afforded every reasonable opportunity to demonstrate he has a valid claim,” Satchell v. Dilworth, 745 F.3d 781, 785 (2d Cir. 1984), and should be granted leave to amend “at least once when a liberal reading of the complaint gives any indication that a valid claim might be stated,” Chavis v. Chappius, 618 F.3d 162, 170 (2d Cir. 2010).

Accordingly, plaintiff’s application is GRANTED. Plaintiff shall file his amended complaint by **February 19, 2021**. Thereafter, if necessary, the Court will issue an amended Order of Service or set a deadline for defendants to respond to the amended complaint.

The pending motion to dismiss is DENIED WITHOUT PREJUDICE. The Clerk is instructed to terminate the motion. (Doc. #41).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: January 19, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge